

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

OCT - 9 2013

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

APRIL ROSE,

Defendant.

No.

4:13CR419 JAR/DDN

INDICTMENT

COUNT ONE

The Grand Jury charges that:

1. At all times relevant, April Rose ("ROSE"), a/k/a April Hettenhouser, lived on Land Rush Drive, in House Springs, in the Eastern District of Missouri.

2. At all times relevant, Marshall Wireless had offices in St. Louis County, in the Eastern District of Missouri, and provided sales and services related to wireless phone products, including services and products associated with Sprint, a national wireless provider.

3. ROSE worked as a sales representative for Marshall Wireless from approximately November 2011 until in or around November 2012, when she was terminated for fraudulent activity.

4. As part of her duties as a sales representative for Marshall Wireless, ROSE ordered and caused to be ordered wireless phones on behalf of Marshall Wireless clients. Such wireless phones included smart phones such as iPhones.

5. As part of her duties as a sales representative for Marshall Wireless, ROSE had access to and knowledge of Marshall Wireless's customer information.

6. At times, Marshall Wireless provided wireless phone services for the City of Jackson, Missouri, Police Department and the Brentwood, Missouri, School District.

7. On October 18, 2012, a representative of the Brentwood School District contacted ROSE and advised that the District was terminating its wireless phone services relationship with Marshall Wireless and Sprint.

8. At all times relevant, Ismart was a retail business, located in the Eastern District of Missouri, which specialized in buying, selling, and repairing smart phones.

9. Beginning in or around January 2012, the exact date being unknown, and continuing until in or around November 2012, in the Eastern District of Missouri and elsewhere,

APRIL ROSE,

the defendant herein, did knowingly devise and execute a scheme to defraud and to obtain moneys, funds, credits and properties by means of materially false and fraudulent pretenses, representations, and promises.

10. In general, the scheme to defraud involved ROSE ordering phones, including iPhones, on the accounts of Marshall Wireless customers without authority to make such orders, and thereafter selling those phones for cash.

11. As part of the scheme, in October and November 2012, ROSE purchased numerous phones from Sprint, including iPhones, and in doing so falsely represented that the phones were for the City of Jackson, Missouri. ROSE made these purchases on the account of the City of Jackson without the knowledge, permission, or authority of the City of Jackson or Marshall Wireless.

12. As part of the scheme, ROSE arranged for at least some of the phones purchased on the Jackson, Missouri, account to be shipped to her personal residence in House Springs,

Missouri, which she thereafter sold and disposed of without the knowledge, permission, or authority of the City of Jackson or Marshall Wireless.

13. As part of the scheme, between on or about October 19, 2012, and November 13, 2012, ROSE purchased numerous phones from Sprint, including iPhones, and in doing so falsely represented that the phones were for the Brentwood School District. ROSE made these purchases on the account of the Brentwood School District without the knowledge, permission or authority of the Brentwood School District or Marshall Wireless. These purchases occurred after the School District had advised ROSE of their decision to terminate their wireless phone services.

14. As part of the scheme, ROSE arranged for at least some of the phones purchased on the Brentwood School District account to be shipped to her personal residence in House Springs, Missouri, which she thereafter sold and disposed of without the knowledge, permission, or authority of Brentwood School District or Marshall Wireless.

15. As part of the scheme, on approximately eight occasions between October 16, 2012, and November 14, 2012, ROSE sold phones she fraudulently purchased on the Jackson, Missouri, and Brentwood School District accounts to Ismart, in the Eastern District of Missouri, and falsely represented to the owner of Ismart that ROSE had the lawful authority to sell such phones. The owner of Ismart paid ROSE by check, which ROSE negotiated for cash. Thereafter, ROSE typically deposited the cash into her personal account at Regions Bank.

16. On or about November 1, 2012, in the Eastern District of Missouri,

APRIL ROSE,

the defendant herein, having voluntarily and intentionally devised a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses,

representations, and promises, and for the purpose of executing the scheme to defraud and in attempting to do so, ordered an iPhone 5 on the account of the City of Jackson, Missouri, and caused the iPhone 5 to be shipped by UPS, a commercial interstate carrier, from Louisville, Kentucky, to ROSE's home address in House Springs, Missouri, via UPS shipment tracking number 1ZX8W9201308507653.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT TWO

The Grand Jury further charges that:

1. The Grand Jury realleges and incorporates by reference paragraphs 1 through 15 of Count One.

2. On or about November 1, 2012, in the Eastern District of Missouri,

APRIL ROSE,

the defendant herein, having voluntarily and intentionally devised a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme to defraud and in attempting to do so, ordered an iPhone 5 on the account of the Brentwood, Missouri, School District, and caused the iPhone 5 to be shipped by UPS, a commercial interstate carrier, from Louisville, Kentucky, to ROSE's home address in House Springs, Missouri, via UPS shipment tracking number 1ZX8W9201308507653.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT THREE

The Grand Jury further charges that:

1. The Grand Jury realleges and incorporates by reference paragraphs 1 through 15 of Count One.

2. On or about November 6, 2012, in the Eastern District of Missouri,

APRIL ROSE,

the defendant herein, having voluntarily and intentionally devised a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme to defraud and in attempting to do so, ordered an iPhone 5 on the account of the City of Jackson, Missouri, and caused the iPhone 5 to be shipped by UPS, a commercial interstate carrier, from Louisville, Kentucky, to ROSE's home address in House Springs, Missouri, via UPS shipment tracking number 1ZX8W9201309223332.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT FOUR

The Grand Jury further charges that:

1. The Grand Jury realleges and incorporates by reference paragraphs 1 through 15 of Count One.

2. On or about November 9, 2012, in the Eastern District of Missouri,

APRIL ROSE,

the defendant herein, having voluntarily and intentionally devised a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme to defraud and in

attempting to do so, ordered an iPhone 4S on the account of the Brentwood, Missouri, School District, and caused the iPhone 4S to be shipped by UPS, a commercial interstate carrier, from Louisville, Kentucky, to ROSE's home address in House Springs, Missouri, via UPS shipment tracking number 1ZX8W9201309761751.

In violation of Title 18, United States Code, Sections 1341 and 2.

A TRUE BILL.

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

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Assistant United States Attorney